

**STATEMENT OF
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BEFORE

**THE HOUSE COMMITTEE ON ENERGY AND COMMERCE
HEALTH SUBCOMMITTEE**

ON

H.R. 6594

THE 9/11 HEALTH AND COMPENSATION ACT OF 2008

JULY 31, 2008

Chairman Pallone; ranking member Deal; Congressmen Towns, Engel, and Weiner; members of the subcommittee. I want to thank you for this extraordinary invitation to testify on this panel along with the bi-partisan sponsors of the “9/11 Health and Compensation Act.”

I understand that my presence on this panel along with Members of Congress breaks with the normal procedures of Congress. And like Speaker Pelosi’s strong commitment to moving forward on this bill, that strongly underscores the historic importance of this measure. Passing this bill would, at long last, fully engage the Federal government in resolving the health challenges created by the attack on our entire nation that occurred on 9/11.

The destruction of the World Trade Center was an act of war against the United States. People from every part of the country perished in the attack, and people from all 50 states took part in the subsequent relief and recovery efforts. And that makes addressing the resulting and ongoing health effects of 9/11 a national duty.

Members of the committee: Nearly two years ago, as the fifth anniversary of 9/11 approached, I directed Deputy Mayors Edward Skyler and Linda Gibbs to work with City health experts and agencies to make a thorough investigation of the health problems created by that terrorist attack. Their report, published six months later, established beyond question that many people suffered physical and mental health effects as a result of the World Trade Center attack and its aftermath. They include firefighters and police officers, community residents, schoolchildren, and owners and employees of neighborhood businesses, and also construction workers and volunteers from across America who took part in the heroic task of clearing the debris from the World Trade Center site.

The report made clear that the ultimate scope of these health effects is still unknown. It also identified the two most important challenges presented by these health problems. The great strength of this bill is that it addresses them both.

First, it would establish much-needed year-in, year-out Federal support for monitoring, screening, and treatment of health-related problems among eligible 9/11 responders and community residents. It would also fund

essential ongoing medical research so that we can better understand what the health impacts of 9/11 are, and what resources we need in order to address them.

To date, the Federal government has provided ad hoc appropriations for monitoring and treatment for first responders and workers who answered the call on 9/11. Congress also appropriated funds for residents, area workers, and other community members whose health was affected by the attack. But until last week, the Federal Department of Health and Human Services had not released those funds, and only now has issued a request for proposals.

New York City has long recognized this unmet need; we have not waited for Federal funds to address it. In fact, the City has budgeted nearly \$100 million for 9/11 health initiatives. About half that will be used to treat residents, workers, and others at the WTC Environmental Health Center in our Health and Hospitals Corporation. But providing long-term treatment to those who are sick, or who could become sick, because of 9/11 is rightly a national responsibility.

And while Federal funds have supported important research and treatment efforts, the uncertain and insufficient nature of that support has needlessly jeopardized the future of these programs. Passage of this bill would make that future secure.

Similarly, the World Trade Center Health Registry that we created and that we maintain in partnership with the Federal government is the most comprehensive nationwide database on 9/11 health-related issues. Consistent Federal support for the Registry will guide essential research and treatment for Americans affected by 9/11-related health problems – who live in all but four of the nation's 435 Congressional districts – for years to come.

The bill also incorporates strict cost-containment standards for spending on treatment. For example, it requires the City of New York to pay 5% of the cost of treatment provided at our public hospitals and clinics. We accept this obligation. It will give us a powerful incentive to work with Federal health officials to ensure that expensive and finite medical resources only go to those who truly need them.

The second key element of this bill is that it would re-open the Victim Compensation Fund. This is an essential act of fairness for those whose 9/11-related injuries or illnesses had not emerged before the fund was closed in

December 2003, or who couldn't be compensated because of the overly narrow eligibility requirements in place at that time. It also would heal rifts that have needlessly emerged since 9/11.

Today, the victims of 9/11, the City of New York and the construction companies that carried out the clean-up at the World Trade Center are being forced into expensive legal proceedings. This bill would stop these needless and costly court cases. It would allow the City to help, rather than litigate against, those who are ill. It would end misplaced efforts to assign blame to the City and the companies who worked to bring New York back from 9/11, instead of to the terrorists who attacked our nation.

It would also create a mechanism for converting \$1 billion now available to the Captive Insurance Company for this purpose. And it would indemnify the City and its contractors from future liability in such cases.

And it would send the clear message that if – God forbid – terrorists strike us again, contractors and responders can meet the challenge urgently and unselfishly, knowing that their government stands behind them.

In summary: This bill directly addresses the current and future health problems created by 9/11, and also provides important relief for past injuries and illnesses.

Members of the committee: We will observe the anniversary of 9/11 just six weeks from today.

Let's work together to pass this bill and ensure that men and women who bravely answered the call of duty when our nation was attacked receive the health care that they deserve.